

08-68-01

A

Attorney Docket No.: L0461/7118(JRV)

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications
under 37 CFR 1.53(b))

Attorney Docket No.

L0461/7118 (JRV)

First Named Inventor or Application Identifier

Martelange, et al.

Express Mail Label No.

EL844532044US

Date of Deposit

August 7, 2001

J1135 U.S. PTO
08/07/01J1135 U.S. PTO
08/07/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
☐ Statement filed in prior application, status
still proper and desired.
3. ☒ Specification -Total pages 66
63 - pages description
1 - pages abstract
6 - pages claims 43 - Total claims
4. ☐ Drawing(s) (35 USC 113) - Total sheets
☐ Informal ☐ Formal - Total drawings
5. ☒ Oath or Declaration -6 Total pages
a. ☐ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
[Note Box 6 below]
i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Incorporation by Reference
(usable if Box 5b is checked)
The entire disclosure of the prior application,
from which a copy of the oath or declaration is
supplied under Box 5b, is considered as being
part of the disclosure of the accompanying
application and is hereby incorporated by
reference therein. See 19.
7. ☐ Application Data Sheet, See 37 CFR 1.76

ADDRESS
TO:

Box Patent Application
Commissioner for Patents
Washington, DC 20231

8. ☐ CD-ROM or CD-R, in duplicate, large table or
Computer Program (Appendix)
9. ☒ Nucleotide and/or Amino Acid Sequence
Submission (if applicable, all necessary)
a. ☒ Computer Readable Form (CRF)
b. ☒ Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☒ paper (identical to computer copy)
c. ☒ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

10. ☐ Assignment Papers/cover sheet &
documents(s)
11. ☐ 37 CFR 3.73(b) Statement
(when there is an assignee)
☐ Power of Attorney
12. ☐ English Translation of Document (if applicable)
13. ☒ Information Disclosure Statement/PTO-1449
☐ Copies of IDS Citations
14. ☒ Preliminary Amendment
15. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
16. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
17. ☐ Request and Certification Under 35 U.S.C.
§122(b)(2)(B)(ii)
18. ☒ Other:
Letter requesting use of previous CRF;
Copy of face of previous CRF (diskette label)

19. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the body of the application, or a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/567,995, filed on May 10, 2000, entitled Tumor Associated Nucleic Acids and Uses Therefor, and now pending; which is a divisional of U.S. application serial no. 09/183,706, filed October 30, 1998, and now issued as U.S. patent 6,245,525, which was a CIP of U.S. application serial no. 09/122,989, filed July 27, 1998, now abandoned.

☐ Cancel in this application claims _____ before calculating the filing fee.

☐ Amend the specification by inserting before the first line of the specification on page 1, after the title, the following:

--This application is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____, filed on _____, entitled _____ and now _____.--

Prior application information: Examiner Mark L. Shibuya Group Art Unit: 1635

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

20. CORRESPONDENCE ADDRESS

Correspondence address below

CUSTOMER NUMBER:



23628

OR

20. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	John R. Van Amsterdam, Reg. No. 40,212
SIGNATURE	
DATE	August 7, 2001

Inventor or Identifier: Martelange et al.

Serial No: Not yet assigned

Filed: Herewith

CHECK BOX, if applicable:

For: Tumor Associated Nucleic Acids and Uses Therefor

☐ DUPLICATE

Fee Calculation Sheet

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
	TOTAL CLAIMS (37 CFR 1.16(c))	11-20=	0 x	\$18	= \$ 0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	1-3=	0 x	\$80	= \$ 0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) +			\$260	= \$
				BASIC FEE (37 CFR 1.16(a))	\$ 710.00
				Total of above Calculations =	\$ 710.00
				Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).	\$
				Assignment Recordation Fee (if any)	\$
				Other Fees (if any).	\$
				TOTAL =	\$ 710.00

1. ☒ A check in the amount of \$ 710.00 is enclosed.

General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a. ☒ If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ ☒ 1.16 or ☒ 1.17, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
- b. ☐ The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ ☐ 1.16 ☐ 1.17 or ☐ 1.18.
3. If the filing of any paper in this application necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.



John R. Van Amsterdam, Reg. No. 40,212
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210-2211
(617) 720-3500
Attorneys of Record

Docket No. L0461/7118(JRV)
Date: August 7, 2001

Attorney's Docket No: L0461/7118 (JRV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Martelange et al.
Serial No: Not assigned
Filed: Herewith
For: TUMOR ASSOCIATED NUCLEIC ACIDS AND USES THEREFOR
Examiner: Unknown
Art Unit: Unknown

Box PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

**LETTER REQUESTING USE OF COMPUTER READABLE FORM
FROM ANOTHER APPLICATION**

Sir:

In accordance with 37 C.F.R. §1.821(e) regarding submission of a computer readable form of nucleotide and/or amino acid sequence disclosures in a new application which corresponds to the sequence information from another application already on file at the United States Patent and Trademark Office, Applicants request use of the previously filed computer readable form. The Sequence Listing enclosed herewith is identical to that filed on **October 30, 1998** in a previous application, Serial No. **09/183,706**, which is the grandparent application of the divisional application filed herewith. In accordance with 37 C.F.R. 1.821(e), please use the last-filed computer readable form filed in application Serial No. **09/183,706** as the computer readable form for the instant application. It is understood that the U. S. Patent and Trademark Office will make the necessary change in application number, docket number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing for the instant application is included herewith. Applicants' attorney states that the paper copy filed herewith and the computer readable form filed in application Serial No. **09/183,706** are identical and contain no new matter.

Attorney's Docket No. **L0461/7118**

The computer readable form was filed as a 3½ inch diskette containing the pertinent file in ASCII text format. A copy of the face of the computer disk is enclosed.

Respectfully submitted,



John R. Van Amsterdam
Reg. No. 40,212
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Tel. (617)720-3500

Docket No. L0461/7118(JRV)
Dated: August 7, 2001

Attorney's Docket No: L0461/7118 (JRV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


Applicant: Martelange et al.
Serial No: Not assigned
Filed: Herewith
For: TUMOR ASSOCIATED NUCLEIC ACIDS AND USES THEREFOR
Examiner: Unknown
Art Unit: Unknown

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

STATEMENT PURSUANT TO 37 CFR 1.821(f)

This statement is made pursuant to 37 CFR 1.821(f). Applicants enclose herewith a paper copy of the Sequence Listing and request to use a computer readable diskette from a prior application. Applicant's attorney states that the content of the paper copy of the Sequence Listing and the computer readable diskette contain the identical information and contain no new matter.

Respectfully submitted,


John R. Van Amsterdam, Reg. No. 40,212
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Tel. (617) 720-3500

Docket No. L0461/7118(JRV)
Dated: August 7, 2001